

United States District Court
Southern District of Texas
FILED

DEC 24 2015

UNITED STATES DISTRICT COURT

Clerk of Court

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Case Number: M-15-2195-M

Joseline CARREON-Rivas
1992 12/24/15 lc

Nicholas J. Ilg

I, ~~Ralph Garza, Jr.~~, the undersigned complainant state that the following is true and correct to the best of myKnowledge and belief. On or about December 23, 2015 in Hidalgo County, in
(Date)
the Southern District of Texas Defendant(s) did,Knowingly and Intentionally Possess with Intent to Distribute approximately 6.94 kilograms of methamphetamine a Schedule II
Controlled Substances and Knowingly and Intentionally Attempt to Import to the United States from the United Mexican States
approximately 6.94 kilograms of methamphetamine a Schedule II Controlled Substances.in violation of Title 21 United States Code, Section(s) 841 (a)(1) and 952(a).I further state that I am a(n) HSI Special Agent And that this complaint is based on the
Official Title
following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

Signature of Complainant

Nicholas J. Ilg Special Agent

Printed Name of Complainant

Approved Josh Lovvick
Sworn to before me and signed in my presence,

December 24, 2015

Date

at

McAllen, Texas

City and State

U.S. Magistrate Judge Dorina Ramos

Name and Title of Judicial Officer

Signature of Judicial Officer

Attachment "A"

On December 23, 2015, at approximately 12:27 P.M. a Ford Taurus, silver in color, displaying Texas license plate DZH 7619 presented for entry into the United States from the United States of Mexico at the Pharr, Texas Port of Entry (POE). The operator and sole occupant presented an I-551 Legal Permanent Resident (LPR) identification document identifying herself as Joseline CARREON Rivas, 1992, Mexican National residing in the United States. Customs and Border Protection Officer (CBPO) C. Oviedo received a negative oral declaration from CARREON Rivas for merchandise or contraband, to include narcotics. CARREON Rivas claimed that she had recently purchased the Ford Taurus, however the vehicle was registered and insured under another party. CBPO Oviedo noted that while CARREON Rivas had one (1) previous crossing during the past six (6) months, the Ford Taurus had several crossings, none of which included CARREON Rivas as an occupant. At that time CBPO Oviedo referred CARREON Rivas and the vehicle for secondary inspection.

During secondary inspection, CBPO A. Ortiz received a second negative oral declaration from CARREON Rivas for merchandise or contraband, to include narcotics. CBPO K-9 D. Rodriguez and his assigned canine K-9 "Betty" conducted an inspection of the Ford. During the inspection, Betty alerted CBPO Rodriguez to an emanating odor of narcotics near the rear undercarriage of the Ford. The Ford was commandeered and driven to Non-Intrusive Inspection (NII) Gamma Ray where CBPO operators observed anomalies in the rear undercarriage of the vehicle. The Ford was then returned to secondary inspection whereas the gas tank was removed, revealing a factory constructed void which had been augmented into a compartment with an aftermarket access panel. Within the compartment CBPO's located and extracted ten (10) individually black-tape wrapped packages. A probe of the packages revealed that they contained an off-white crystalline substance. CBPO's examined and field drug tested a sample from each package. The field drug tests bore a positive result for methamphetamine. The total weight of the ten (10) packages was 6.94 kilograms per the CBP scale. The packages were seized by CBP.

Homeland Security Investigations (HSI) Special Agents (SA) R. Garza and N. Ilg were telephonically contacted, advised of the incident, and responded to the Pharr, Texas Port of Entry. SA's met with the CBPO's involved in the inspection and observed the field testing and weighing of the packages.

At approximately 2:10 P.M. SA Ilg advised CARREON Rivas of her Miranda Rights, in the English Language, on an Immigration and Customs Enforcement (ICE) Statement of Rights Document. CARREON Rivas was read the document aloud and then read and initialed the document, stating verbally and in writing that she understood her rights and wished to answer questions.

Initially, CARREON Rivas claimed that she was asked to do a favor in driving the Ford into the United States. CARREON Rivas made several conflicting statements until she admitted that she had been paid to drive the Ford into the United States and offered a time line of events leading to her arrest.

CARREON Rivas stated that on Tuesday December 22, 2015 she was contacted by a high school friend she named as Nancy Barrera. Through several text messages and use of the messaging application Snap Chat Barrera asked CARREON Rivas to accompany her to Reynosa, Mexico in order to discuss recent events and to “hang out”.

At approximately 11:00 P.M. Nancy Barrera and unknown others picked up CARREON Rivas at her residence in Alton, Texas. CARREON Rivas and Barrera proceeded to enter Mexico afoot at the Hidalgo Port of Entry. Barrera brought CARREON Rivas to a ranch house in Reynosa where they met with Barrera’s partner, a Hispanic Male identified only as “Jesus”.

Barrera asked CARREON Rivas to drive a vehicle from Reynosa, Mexico into the United States. CARREON Rivas stated that she was told by Barrera that the vehicle had a compartment with money hidden within. CARREON Rivas stated that she had agreed to be paid two-thousand dollars (\$2,000) once the Ford was in San Antonio, Texas.

On December 23, 2015 at approximately 10:00 A.M. Barrera and Jesus gave CARREON Rivas the Ford Taurus with instructions that she was to drive to San Antonio, Texas. Barrera was to arrange for CARREON Rivas to receive five-hundred dollars (\$500) from an unknown person in McAllen, Texas prior to leaving for San Antonio, Texas.

Once CARREON Rivas was in San Antonio, Texas she was to leave the Ford in an undisclosed parking lot and to “go see a movie” for a few hours. Upon returning to the Ford she was to stay the night in San Antonio and in the morning drive back to McAllen, Texas.

At approximately 2:40 P.M. CARREON Rivas gave consent for SA’s to conduct a search of her cellular phone. A text messaging string indicated that CARREON Rivas intended to drive to McAllen to retrieve a male friend and that they would drive to San Antonio, Texas for the night. It appeared that the male friend had no knowledge of the narcotics smuggling. CARREON Rivas agreed to pay for the hotel and food during the trip, although when arrested she had approximately thirteen dollars (\$13) on her person. CARREON Rivas stated that she intended to use the five-hundred dollars (\$500) in order to cover the costs.

On December 23, 2015 at approximately 3:10 P.M. the McAllen, Texas Assistant United States Attorney’s Office (AUSA) approved the federal prosecution of CARREON Rivas.